

FIRST REGULAR SESSION

HOUSE BILL NO. 742

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAHR.

0729L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.514 and 161.855, RSMo, and to enact in lieu thereof two new sections relating to academic performance standards.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 160.514 and 161.855, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 160.514 and 161.855, to read as follows:

160.514. 1. By rule and regulation, and consistent with the provisions contained in section 160.526, the state board of education shall adopt no more than seventy-five academic performance standards which establish the knowledge, skills and competencies necessary for students to successfully advance through the public elementary and secondary education system of this state; lead to or qualify a student for high school graduation; prepare students for postsecondary education or the workplace or both; and are necessary in this era to preserve the rights and liberties of the people.

2. Whenever the state board of education develops, evaluates, modifies, or revises academic performance standards or learning standards, it shall convene work groups composed of education professionals to develop and recommend such academic performance standards or learning standards. Separate work groups composed of education professionals shall be convened for the following subject areas: English language arts; mathematics; science; and history and governments. The subject area of history and governments shall incorporate geography and the history and governments of the United States and the world. For each subject area in which the state board of education develops, evaluates, modifies, or revises academic performance standards or learning standards, the state board shall convene two separate work groups, one work group for standards for grades kindergarten through five consisting of sixteen

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 members and a second work group for standards for grades six through twelve consisting of
19 seventeen members. A person may be selected to serve on more than one work group if he or
20 she is qualified. No work group member shall be required to be a member of a professional
21 teacher association. An education professional serving on a work group shall be a Missouri
22 resident for at least three years and have taught in the work group's subject area for at least ten
23 years or have ten years of experience in that subject area, except for the parents appointed by the
24 president pro tempore of the senate and the speaker of the house of representatives. Work group
25 members shall be chosen in such a manner as to represent the geographic diversity of the state.

26 3. Work group members shall be selected in the following manner:

27 (1) Two parents of children currently enrolled in grades kindergarten through twelve
28 shall be selected by the president pro tempore of the senate;

29 (2) Two parents of children currently enrolled in grades kindergarten through twelve
30 shall be selected by the speaker of the house of representatives;

31 (3) One education professional selected by the state board of education from names
32 submitted to it by the professional teachers' organizations of the state;

33 (4) One education professional selected by a statewide association of Missouri school
34 boards;

35 (5) One education professional selected by the state board of education from names
36 submitted to it by a statewide coalition of school administrators;

37 (6) Two education professionals selected by the president pro tempore of the senate in
38 addition to the members selected under subdivision (1) of this subsection;

39 (7) Two education professionals selected by the speaker of the house of representatives
40 in addition to the members selected under subdivision (2) of this subsection;

41 (8) One education professional selected by the governor;

42 (9) One education professional selected by the lieutenant governor;

43 (10) One education professional selected by the commissioner of higher education;

44 (11) One education professional selected by the state board of education from names
45 submitted to it by nationally recognized career and technical education student organizations
46 operating in Missouri; and

47 (12) One education professional selected by the state board of education from names
48 submitted to it by the heads of state-approved baccalaureate-level teacher preparation programs
49 located in Missouri.

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51 The state board of education shall also appoint to each work group for grades six through twelve
52 from names submitted to it by a statewide organization for career and technical education one
53 current or retired career and technical education professional who also serves or served as an

54 advisor to any of the nationally recognized career and technical education student organizations
55 identified in subdivision (4) of subsection 2 of section 178.550. **Each work group shall have**
56 **one member designated as a chairperson and one member designated as a secretary. Once**
57 **persons are selected for these positions, their names, phone numbers, email addresses, and**
58 **mailing addresses shall be submitted to the governor, lieutenant governor, president pro**
59 **tempore of the senate, and to the speaker of the house of representatives. The chairperson**
60 **and secretary shall be responsible for responding to any inquiry from the governor,**
61 **lieutenant governor, office of the president pro tempore, and the speaker within forty-eight**
62 **hours of any inquiry.**

63 4. If a work group member's qualifications are challenged by a member of the work
64 group or an appointing agency, a panel consisting of an appointee from the department of
65 elementary and secondary education, the lieutenant governor or his or her designee, and
66 the speaker of the house or his or her designee shall review the member's qualifications.
67 The member shall within thirty days provide proof to the panel that the member is
68 qualified to serve under the provisions of this section. In the event the panel determines
69 that a member does not meet the qualifications of this section, the member shall be
70 removed immediately from the work group and the original appointing entity shall appoint
71 a qualified person to fill the position within thirty days of the disqualified member's
72 dismissal.

73 5. The state board of education shall hold at least three public hearings whenever it
74 develops, evaluates, modifies, or revises academic performance standards or learning standards.
75 The hearings shall provide an opportunity to receive public testimony, including but not limited
76 to testimony from educators at all levels in the state, local school boards, parents, representatives
77 from business and industry, labor and community leaders, members of the general assembly, and
78 the general public. The state board of education shall hold the first hearing within thirty days of
79 the work groups being convened. The state board of education shall hold the second hearing
80 approximately six months after it holds the first hearing. The state board of education shall hold
81 the third hearing when the work groups submit the academic performance standards they have
82 developed to the state board. The state board of education shall also solicit comments and
83 feedback on the academic performance standards or learning standards from the joint committee
84 on education and from academic researchers. All comments shall be **communicated by the**
85 **state board of education to the chairpersons of all work groups established under**
86 **subsection 1 of this section and made publicly available.**

87 [5.] 6. The state board of education shall develop written curriculum frameworks that
88 may be used by school districts. Such curriculum frameworks shall incorporate the academic
89 performance standards adopted by the state board of education pursuant to subsection 1 of this

90 section. The curriculum frameworks shall provide guidance to school districts but shall not be
91 mandates for local school boards in the adoption or development of written curricula as required
92 by subsection [6] 7 of this section.

93 [6.] 7. Not later than one year after the development of written curriculum frameworks
94 pursuant to subsection [5] 6 of this section, the board of education of each school district in the
95 state shall adopt or develop a written curriculum designed to ensure that students attain the
96 knowledge, skills and competencies established pursuant to subsection 1 of this section. Local
97 school boards are encouraged to adopt or develop curricula that are rigorous and ambitious and
98 may, but are not required to, use the curriculum frameworks developed pursuant to subsection
99 [5] 6 of this section. Nothing in this section or this act shall prohibit school districts, as
100 determined by local boards of education, to develop or adopt curricula that provide for academic
101 standards in addition to those identified by the state board of education pursuant to subsection
102 1 of this section.

103 [7.] 8. Local school districts and charter schools may adopt their own education
104 standards, in addition to those already adopted by the state, provided the additional standards are
105 in the public domain and do not conflict with the standards adopted by the state board of
106 education.

161.855. 1. By October 1, 2014, the state board of education shall convene work groups
2 composed of education professionals to develop and recommend academic performance
3 standards. The work groups shall be composed of individuals as provided in section 160.514.
4 The state board of education and the work groups shall follow the procedures and conduct the
5 public hearings required by section 160.514. The state board of education shall convene separate
6 work groups for the following subject areas: English language arts; mathematics; science; and
7 history and governments. For each of these four subject areas, the state board of education shall
8 convene two separate work groups, one work group for grades kindergarten through five and
9 another work group for grades six through twelve.

10 2. **Work groups established under subsection 1 of this section shall meet at least**
11 **monthly, for a minimum of six hours each work session to receive per diem, and shall**
12 **submit a monthly progress report to the governor, lieutenant governor, president pro**
13 **tempore of the senate, and the speaker of the house of representatives by the fifth day of**
14 **each month. Work groups shall update the offices of the governor, lieutenant governor,**
15 **president pro tempore, and speaker as to any changes in member contact information. If**
16 **a quorum is not reached for a meeting, a majority of the work group members may work**
17 **as a subcommittee; however, a quorum shall be present for any vote to occur. If a specific**
18 **member misses more than four meetings within a six-month period, the member may be**
19 **removed from the work group; if a member is so dismissed, he or she shall be replaced**

20 **within thirty days of dismissal with a new member appointed by the original appointing**
21 **entity. Work group members shall be reimbursed by the department of elementary and**
22 **secondary education for travel expenses, including overnight accommodations, meals, and**
23 **mileage reimbursement using the state per-diem formula. The department of elementary**
24 **and secondary education shall reimburse school districts for the cost of a substitute teacher**
25 **and a teacher's daily pay when a work group member is required to miss a school day to**
26 **attend a work group meeting.**

27 **3. Work groups may establish as many grade-level expectations as believed**
28 **necessary for each grade level. Work groups shall meet with and collaborate with other**
29 **work groups of the same grade level in order to ensure alignment of grade-level**
30 **expectations, with at least one mass meeting of all work groups in each grade level to be**
31 **conducted once every two months.**

32 **4. The work groups shall develop and recommend academic performance standards to**
33 **the state board of education by October 1, 2015. The work groups shall report on their progress**
34 **in developing the academic performance standards to the president pro tempore of the senate and**
35 **the speaker of the house of representatives on a monthly basis.**

36 **5. Prior to making any recommendations as to grade-level expectations or academic**
37 **performance standards, the work groups shall ensure that any standards developed or**
38 **recommendations made are:**

- 39 **(1) In compliance with the Show-Me Standards;**
40 **(2) Age appropriate and developmentally appropriate;**
41 **(3) Understandable to parents and teachers; and**
42 **(4) Aimed at promoting the general diffusion of knowledge and intelligence for the**
43 **preservation of the rights and liberties of the people.**

44 **[3.] 6. The state board of education [shall] may adopt and implement, as written, the**
45 **academic performance standards developed and recommended by the work groups under**
46 **subsection 4 of this section beginning in the 2016-17 school year, with implementation by the**
47 **department of elementary and secondary education. If the state board of education**
48 **declines to adopt such standards, the board shall provide suggestions for improvement to**
49 **the work groups.** The state board of education shall align the statewide assessment system to
50 the academic performance standards as needed.

51 **[4.] 7. The department of elementary and secondary education shall pilot assessments**
52 **from the Smarter Balanced Assessment Consortium during the 2014-15 school year.**
53 **Notwithstanding any rules adopted by the state board of education or the department of**
54 **elementary and secondary education in place on August 28, 2014, for the 2014-15 school year,**
55 **and at any time the state board of education or the department of elementary and secondary**

56 education implements a new statewide assessment system, develops new academic performance
57 standards, or makes changes to the Missouri school improvement program, the first year of such
58 statewide assessment system and performance indicators shall be utilized as a pilot year for the
59 purposes of calculating a district's annual performance report under the Missouri school
60 improvement program. The results of a statewide pilot shall not be used to lower a public school
61 district's accreditation or for a teacher's evaluation.

62 [5.] 8. Any person performing work for a school district or charter school for which
63 teacher certification or administrator certification is regularly required under the laws relating
64 to the certification of teachers or administrators shall be an employee of the school district or
65 charter school. All evaluations of any such person shall be maintained in the teacher's or
66 administrator's personnel file and shall not be shared with any state or federal agency.

67 **9. Notwithstanding any other provision of law, in the event either the department**
68 **of elementary and secondary education or the board of education elect to change the way**
69 **grade-level expectations are used by school districts, the department and board shall be**
70 **required to obtain approval of any such change by the senate and the house of**
71 **representatives during the next regular legislative session. No changes shall be made**
72 **during the legislative interim. Any violation of this subsection shall result in a funding**
73 **hold until a joint committee is appointed by the senate and the house of representatives to**
74 **conduct a hearing on any proposed change.**

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